

## UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

Andres Santana-Romero,

Case No. 22-8096-BER

*Defendant(s)*FILED BY TM D.C.

Mar 17, 2022

ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S. D. OF FLA. - West Palm Beach

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

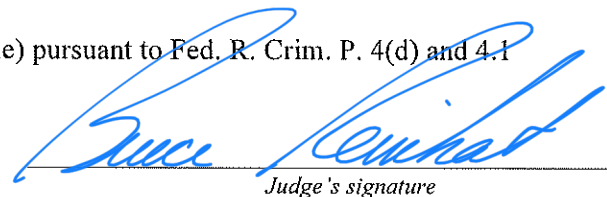
On or about the date(s) of March 17, 2022 in the county of Palm Beach in the  
Southern District of Florida, the defendant(s) violated:*Code Section**Offense Description*Title 8, United States Code,  
Section 1326(a) and (b)(2)Previously removed convicted felon alien found in the United States  
(Illegal Re-entry After Deportation)

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.  
*Complainant's signature*Christopher Delbaugh, Deportation Officer, ICE  
*Printed name and title*

Sworn and Attested to me by Applicant by Telephone (FaceTime) pursuant to Fed. R. Crim. P. 4(d) and 4.1

Date: 3/17/22  
*Judge's signature*City and state: West Palm Beach, FLBruce E. Reinhart, U.S. Magistrate Judge  
*Printed name and title*

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Christopher Delbaugh, being duly sworn, do solemnly swear and state that:

1. I am a Deportation Officer of the United States Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), and have been employed in a similar capacity since 2015. I am currently assigned to the Enforcement and Removal Operations, Fugitive Operations Team, in Stuart, Florida. As a Deportation Officer with ICE, my duties and responsibilities include enforcing criminal and administrative immigration laws of the United States. I have also conducted and participated in investigations of this nature. Previously, from September 2007 to September 2015, I was an Immigration Enforcement Agent with ICE. As an Immigration Enforcement Agent my duties and responsibilities also included enforcing criminal and administrative immigration laws of the United States.

2. As part of my training as a Deportation Officer, I attended the United States Immigration and Customs Enforcement Academy, at the Federal Law Enforcement Training Center, in Glynco, Georgia. In addition, I received specialized training regarding the investigation and enforcement of United States immigration laws. In my capacity as a Deportation Officer, I am charged with enforcing federal administrative and criminal laws under Titles 8, 18, and 19 of the United States Code. Further, as a federal law enforcement officer, I have the authority to conduct investigations, make arrests, execute search warrants, and take sworn statements.

3. This affidavit is based upon my own knowledge, as well as information provided to me by other law enforcement officers. The information set forth in this affidavit is not intended to detail all facts and circumstance of the investigation known by me or other law enforcement personnel. Rather, this affidavit serves solely to establish that there is probable cause to believe that Andres SANTANA-ROMERO ("SANTANA-ROMERO") committed the offense of being a

previously removed convicted felon alien found in the United States, in violation of Title 8, United States Code, Sections 1326(a) and (b)(2) (Illegal Re-entry After Deportation).

PROBABLE CAUSE

4. On or about February 25, 2022, during the course of my duties as a Deportation Officer, I conducted surveillance at a residence located at 4454 Anna Ln, Palm Springs, Florida 33406, in an attempt to locate an alien (identified with initials "L.D.") who was purportedly present in the United States without permission. At the residence, I observed a white 1990 GMC truck bearing Florida plate NLFE06 ("GMC truck"). A Florida's Driver and Vehicle Information Database (DAVID) search revealed that the vehicle was returned registered to SANTANA-ROMERO. Department of Homeland Security records revealed that SANTANA-ROMERO was an alien present in the United States without permission. Records revealed that SANTANA-ROMERO had been previously removed from the United States on five separate occasions. While conducting surveillance, I observed a male subject believed to be SANTANA-ROMERO, in that the individual resembled the person in SANTANA-ROMERO's DAVID photograph, exit the 4454 Anna Ln residence and drive away in the GMC truck.

5. On March 17, 2022, ICE officers observed SANTANA-ROMERO, as the sole vehicle occupant, driving the GMC truck in Palm Springs, Florida. When ICE officers approached the GMC truck and identified themselves as immigration officers, SANTANA-ROMERO confirmed his identity and was taken into ICE custody.

6. At the ICE facility, SANTANA-ROMERO's fingerprints were entered into the IDENT system, which queries the Department of Homeland Security and Federal Bureau of Investigation databases.

7. The query on SANTANA-ROMERO's fingerprints resulted in a positive match indicating that he had a prior immigration history under alien registration file A\*\*\* \*\* 264, and FBI#\*\*\*\*\*DA5. The immigration electronic records and alien file assigned to SANTANA-ROMERO showed that he is a native and citizen of Mexico.

8. Records contained within SANTANA-ROMERO's alien file indicate that SANTANA-ROMERO was convicted of possession of cocaine with intent to sell in the second degree, in violation of Florida Statute 893.13(1)(a), on or about January 9, 1992 (Case No. 91-4938-CF). SANTANA-ROMERO was sentenced to three years of probation by the Circuit Court of the Fifteenth Judicial Circuit, Palm Beach County, Florida.

9. Records contained within SANTANA-ROMERO's alien file indicate that SANTANA-ROMERO was removed from the United States following his conviction for the narcotics trafficking (aggravated felony) offense.

10. On or about January 13, 1997, SANTANA-ROMERO was ordered removed from the United States. On or about January 22, 1997, SANTANA-ROMERO was removed from the United States to Mexico.

11. The records further indicate that SANTANA-ROMERO subsequently attempted to re-enter the United States by falsely claiming to be a United States citizen. SANTANA-ROMERO was removed from the United States, to Mexico, on or about January 17, 2001, through Progreso, Texas.

12. SANTANA-ROMERO re-entered the United States and his removal order was reinstated on or about June 4, 2009. Records in the alien file show that on or about June 9, 2009, SANTANA-ROMERO was removed from the United States to Mexico through Hidalgo, Texas.

13. SANTANA-ROMERO re-entered the United States and his removal order was reinstated on or about June 14, 2009. Records in the alien file show that on or about July 11, 2009, SANTANA-ROMERO was removed from the United States to Mexico through Progreso, Texas.

14. SANTANA-ROMERO re-entered the United States and his removal order was reinstated on or about November 18, 2010. Records in the alien file show that on or about May 11, 2011, SANTANA-ROMERO was removed from the United States to Mexico through Hidalgo, Texas. Prior to his removal, SANTANA-ROMERO was convicted in the Southern District of Florida, West Palm Beach Division for violating Title 8, United States Code, Section 1326(a) and (b)(2) (Case No. 10-CR-80173).

15. A record checks through the Department of Homeland Security CLAIMS database failed to locate any evidence indicating that SANTANA-ROMERO had applied for or received permission from the appropriate government officials to lawfully reenter the United States.

*[The remainder of this page was intentionally left blank.]*

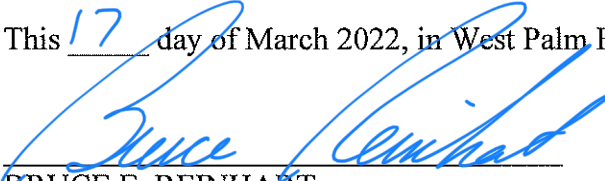
16. Based on the foregoing, I respectfully submit there is probable cause to believe that SANTANA-ROMERO committed the offense of being a previously removed convicted felon alien found in the United States, in violation of Title 8, United States Code, Sections 1326(a) and (b)(2) (Illegal Re-entry After Deportation).

FURTHER YOUR AFFIANT SAYETH NAUGHT.

  
CHRISTOPHER DELBAUGH  
DEPORTATION OFFICER  
IMMIGRATION AND CUSTOMS ENFORCEMENT

Subscribed and sworn to by FaceTime/telephone  
Pursuant to Fed. R. Crim. P. 4.1

This 17 day of March 2022, in West Palm Beach, Florida

  
BRUCE E. REINHART  
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NUMBER:** 22-8096-BER

**BOND RECOMMENDATION**

DEFENDANT: ANDRES SANTANA-ROMERO

Pre-Trial Detention

(Personal Surety) (Corporate Surety) (Cash) (Pre-Trial Detention)

By: *Sarah J. Schall*  
AUSA: Sarah J. Schall

Last Known Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

What Facility: \_\_\_\_\_

\_\_\_\_\_

Agent(s):

Officer Christopher Delbaugh

(FBI) (SECRET SERVICE) (DEA) (IRS) (ICE) (**OTHER**)

ICE